

Questions to support assessment

When deciding whether to involve the police or children's social services, consideration should be given to the following questions. Answering these questions will support the DSP in considering whether a child or young person is at risk of harm, in which case a report will be appropriate, whether additional information or support is needed from other agencies or whether the setting can manage the incident and support the young people directly.

Do you have any concerns about the child or young person's vulnerability?

Consideration should be given to whether a child or young person's circumstances, sexuality or background makes them additionally vulnerable. This could include being in care, having additional learning needs or disability, being a young carer, or having been a victim of abuse. This is not an exhaustive list and each case should be considered on a case-by-case basis. If the child or young person has a social worker you should inform social services about the incident.

Where there are wider concerns about the care and welfare of a young person then consideration should be given to referring to children's social services.

Why was the nude or semi-nude shared? Was it consensual or was the child or young person put under pressure or coerced?

Children and young people's motivations for sharing nudes and semi-nudes include flirting, developing trust in a romantic relationship, seeking attention, or because they thought it would be a funny thing to do and did not think of the consequences.

Though there are clearly risks when images are shared consensually, children and young people who have been pressured to share nudes and semi-nudes are more likely to report negative consequences.

A report should be made to the police if a child or young person has been pressured or coerced into sharing nudes and semi-nudes, or if an image is being shared without consent and with malicious intent.

Consideration should also be given to a child or young person's level of maturity and the impact of any additional learning need on their understanding of the situation.

Action should be taken, in accordance with the setting's behaviour policy, with any child or young person who has pressured or coerced others into sharing nudes and semi-nudes. If this is part of a pattern of behaviour then you should consider making a referral to a harmful sexual behaviour service (via social services), such as the Barnardo's Taith Service. NSPCC also has a service – Protect and Respect – for children and young people aged 11 to 19 who either need support to learn about healthy relationships or who may be experiencing child sexual exploitation.

Has the nude or semi-nude been shared beyond its intended recipient? Was it shared without the consent of the child or young person who produced the image(s)?

The image may have been shared initially with consent but then passed on to others. A child or young person may have shared the image further with malicious intent, or they may not have had a full understanding of the potential consequences.

Consideration should also be given to a child or young person's level of maturity and the impact of any additional learning needs on their understanding of the situation. The police should be informed through the MASH or equivalent if there was a deliberate intent to cause harm by sharing the image or if the image has been used to bully or blackmail a child or young person.

Has the nude or semi-nude been shared on social media or anywhere else online? If so, what steps have been taken to contain the spread of the imagery?

If the image has been shared widely on social media, this could cause significant embarrassment for the child or young person and have a long-term impact on their reputation. It could also increase the risk of them being bullied or contacted by strangers online.

The child or young person should be supported to report the image to any sites it is hosted on. If the child or young person has tried to report the image, and it has not been removed, the young person should use IWF and Childline's Report Remove tool at <https://www.childline.org.uk/info-advice/bullying-abuse-safety/online-mobile-safety/report-remove/>.

If they need to talk to someone anonymously then Childline or Meic can offer emotional support. The Professionals Online Safety Helpline (POSH) can be contacted for further advice and support.

If the young person is being contacted by people they don't know who have viewed the imagery then you should report to NCA-CEOP.

How old is the child or young person involved?

Children under the age of 13 are unable to consent to sexual activity. While the age of consent to any form of sexual activity is 16, the Sexual Offences Act 2003 provides extra protection from sexual abuse to children under the age of 13 as they cannot legally give their consent to any form of sexual activity. Any image containing sexual activity by under-13s should be referred to the police.

Being older can give someone power in a relationship so if there is a significant age difference it may indicate the child or young person felt under pressure to take or share the image or video.

Consideration should also be given to a child or young person's level of maturity and the impact of any additional learning needs on their understanding of the situation. If you believe the image contains acts that you would not expect a child or young person of that age to engage in then you should report to the police, through the MASH or equivalent. Brook's Sexual Behaviours Traffic Light Tool <https://www.brook.org.uk/education/sexual-behaviours-traffic-light-tool/> can be used to support you with this assessment.

Did the child or young person send nudes and semi-nudes to more than one person?

If a child or young person is sharing nudes and semi-nudes with multiple people, this may indicate that there are other issues that they need support with. Consideration should be given to their motivations for sharing.

If you believe there are wider safeguarding concerns then you should make a referral to children's social services or the police, through the MASH or equivalent.

Does the child or young person understand the possible implications of sharing the nudes or semi-nudes?

Children and young people may produce or share images without fully understanding the consequences of what they are doing. They may not, for example, understand how it may put them at risk or cause harm to another young person. They may also not understand consent.

Exploring their understanding may help you plan an appropriate response helping you assess, for example, whether they passed on an image with deliberate intent to harm.

Are there additional concerns if the parents or carers are informed?

Parents or carers should be informed of incidents of this nature unless there is good reason to believe that informing them will put the child or young person at risk. This may be due to concerns about parental abuse or cultural or religious factors that would affect how they or their community would respond.

If a child or young person highlights concerns about involvement of their parents or carers then the DSP should use their professional judgement to decide whether it is appropriate to involve them and at what stage. If a setting chooses not to involve a parent or carer, they must clearly record the reasons for not doing so.

Where possible children and young people should be supported to speak with their parents or carers themselves about the concerns.